

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

HTI IP, LLC and NETWORKFLEET, INC. §

*Plaintiffs* §

vs. §

PROCON, INC., WEBTECH WIRELESS §  
INC., WEBTECH WIRELESS USA LTD. and §  
XIRGO §  
TECHNOLOGIES, LLC §

*Defendants* §

And Related Counterclaims §

CIVIL ACTION NO: 6:09-cv-370  
JURY TRIAL DEMANDED

**HTI IP, LLC AND NETWORKFLEET, INC.'S REPLY TO DEFENDANT  
WEBTECH WIRELESS INC.'S AMENDED COUNTERCLAIMS**

Plaintiffs/Counterdefendants HTI IP, LLC and NetworkFleet, Inc. (collectively “HTI”), by and through their designated attorneys, hereby reply to the amended counterclaims of defendant WebTech Wireless Inc. (“WebTech Canada”). HTI responds to WebTech Canada’s allegations using the same paragraph numbers that appear in WebTech Canada’s amended counterclaims. All factual allegations not expressly admitted below are denied.

**REPLY TO COUNTERCLAIMS**

1. HTI is without knowledge or information sufficient to admit or deny the allegations in paragraph 1 and therefore denies the same.
2. HTI admits the allegations in paragraph 2.
3. HTI admits the allegations in paragraph 3.

4. HTI admits that there is subject matter jurisdiction over this action but denies that 28 U.S.C. § 2001 confers that jurisdiction.

5. HTI admits the allegations in paragraph 5.

**DECLARATORY JUDGMENT FOR NON-INFRINGEMENT AND INVALIDITY  
OF THE '579 PATENT**

6. HTI admits that WebTech Canada purports to incorporate paragraphs 1 through 5 of its amended counterclaims, and incorporates herein its admissions and denials in paragraphs 1 through 5 of this reply.

7. HTI admits the allegations in paragraph 7.

8. HTI admits the allegations in paragraph 8.

9. HTI admits the allegations in paragraph 9.

10. HTI denies the allegations in paragraph 10.

11. HTI denies the allegations in paragraph 11.

**DECLARATORY JUDGMENT FOR NON-INFRINGEMENT AND INVALIDITY  
OF THE '033 PATENT**

12. HTI admits that WebTech Canada purports to incorporate paragraphs 1 through 11 of its amended counterclaims, and incorporates herein its admissions and denials in paragraphs 1 through 11 of this reply.

13. HTI admits the allegations in paragraph 13.

14. HTI admits the allegations in paragraph 14.

15. HTI admits the allegations in paragraph 15.

16. HTI denies the allegations in paragraph 16.

17. HTI denies the allegations in paragraph 17.

**DECLARATORY JUDGMENT FOR NON-INFRINGEMENT AND INVALIDITY  
OF THE '790 PATENT**

18. HTI admits that WebTech Canada purports to incorporate paragraphs 1 through 17 of its amended counterclaims, and incorporates herein its admissions and denials in paragraphs 1 through 17 of this reply.

19. HTI admits the allegations in paragraph 19.

20. HTI admits the allegations in paragraph 20.

21. HTI admits the allegations in paragraph 21.

22. HTI denies the allegations in paragraph 22.

23. HTI denies the allegations in paragraph 23.

**DECLARATORY JUDGMENT FOR NON-INFRINGEMENT AND INVALIDITY  
OF THE '031 PATENT**

24. HTI admits that WebTech Canada purports to incorporate paragraphs 1 through 23 of its amended counterclaims, and incorporates herein its admissions and denials in paragraphs 1 through 23 of this reply.

25. HTI admits the allegations in paragraph 25.

26. HTI admits the allegations in paragraph 26.

27. HTI admits the allegations in paragraph 27.

28. HTI denies the allegations in paragraph 28.

29. HTI denies the allegations in paragraph 29.

Dated: February 12, 2010

Respectfully submitted,

**McKOOL SMITH**

By: /s/ Martin C. Robson

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*Attorneys for Plaintiff HTI IP, LLC and  
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**CERTIFICATE OF SERVICE**

I hereby certify that on February 12, 2010, the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who have consented to electronic service.

/s/ Martin C. Robson

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Martin C. Robson